

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST

Sitting at Tokyo, Japan

Case No. 1

UNITED STATES OF AMERICA, et al

v.

ARAKI, Sadao, et al

APPLICATION ON BEHALF OF ITAGAKI, Seishiro,  
FOR AN ORDER FOR PRODUCTION OF DOCUMENTS.

Comes now the accused here ITAGAKI, Seishiro, and makes known to this Tribunal that he is desirous of obtaining from this Tribunal an order and process for the production of the following described documents for use in evidence in his behalf at this trial:

1. Report on situation, and attached documents, prepared by Honjo, Shigeru, the Commander of the Kwantung Army in Manchuria on the 18th of October 1931.

The original or authenticated copy of this report and attached documents is said to be kept at the Headquarters of the Kwantung Army at Chang Chun (formerly Hsin King) Manchuria.

The accused expects to prove by this document that:

- (a) It was a report made by the Commander of the Kwantung Army himself and not by the accused.
- (b) That the actions of the Kwantung Army were all performed as actions of self-defense and based on justifiable grounds.

This document is relevant in that it will dispute the claims and evidence adduced in support thereof by the prosecution to the effect that the actions of the Kwantung Army were aggressive in nature and part of a plan to wage aggressive war against China and other countries.

2. Report on explosion of South Manchurian Railway prepared by Investigation Committee of Kwantung Army 23 September 1931. The original or authenticated copy of this document is said to be kept at the headquarters of the Kwantung Army at Chang Chun (formerly Hsin King) Manchuria.

The accused expects to prove by this document that:

- (1) The investigation of the so-called Mukden Incident was carried out by proper officers of the Kwantung Army.
- (2) That the damage done to the railroad was perforated by Chinese regular soldiers.

These facts will dispute the claim and evidence of the prosecution to the contrary.

WHEREFORE, your petitioner prays that appropriate order be entered herein for the issuance of process of this Tribunal for the production of each of the aforesaid documents.

ITAGAKI, Seishiro

BY \_\_\_\_\_

Yamada, Honzo

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Floyd J. Mattice  
His Counsel